

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**


UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Action No. 1:20-cr-143
)	
ZACKARY ELLIS SANDERS,)	
Defendant.)	

ORDER

It has come to the Court's attention that defendant's counsel and family members have made multiple requests to the court reporter seeking audio recordings relating to defendant's criminal trial for production, possession, and receipt of child pornography. These requests are inappropriate. Federal law requires that court reporters produce transcripts, as opposed to audio recordings, of hearings upon a party's request. *See* 28 U.S.C. § 753. As the Fourth Circuit has explained, "audiotapes that merely back up the court reporter's stenographic record are the personal property of the reporter and are not judicial records, unless some reason is shown to distrust the accuracy of the stenographic transcript." *United States v. Davis*, 648 F. App'x 295, 297 (4th Cir. 2016) (internal quotations and citations omitted). There is no reason for this case to be treated any differently from any other case, and repeated requests for audio recordings of the proceedings are inappropriate. Accordingly, defendant, defendant's family members, and defense counsel are directed to refrain from contacting the court reporter and to avoid attempts to influence the content of the final transcripts. Defendant, defendant's family members, and defense counsel should limit contact with the court reporter to requests relating to when transcripts of proceedings in this case will be available to the public and to cease further requests for audio recordings of the proceedings.

The Clerk is directed to send a copy of this Order to all counsel of record.

Alexandria, Virginia
November 19, 2021



T. S. Ellis, III
United States District Judge